

U. S. - Mass. - Boston

FIFTH ANNUAL REPORT

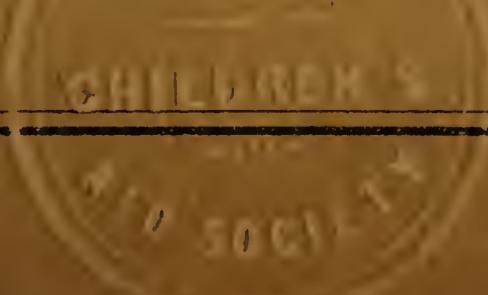
OF THE

INSTITUTIONS REGISTRATION
DEPARTMENT

1901-1902



BOSTON
MUNICIPAL PRINTING OFFICE
1902



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INSTITUTIONS REGISTRATION DEPARTMENT.

ORGANIZATION, 1901-1902.

WILLIAM P. FOWLER,
INSTITUTIONS REGISTRAR.

JOHN KOREN,
CHIEF STATISTICAL DIVISION.

CHARLES F. GAYNOR,
CHIEF SETTLEMENT DIVISION.

March 1, 1902.

HON. PATRICK A. COLLINS,

Mayor of the City of Boston:

SIR,— The report of the Institutions Registration Department for the year ending January 31, 1902, is herewith respectfully submitted.

The act of 1897, creating the Institutions Registration Department, did not undertake precisely to define all its functions or to prescribe its exact relations to other affiliated departments. Hence the development of the department, both in regard to its own specific work and the discharge of duties imposed upon it by other departments, has been one of gradual growth. Existing activities have been expanded, and new ones added to meet the requirements of the public service as demand arose. After an existence of four years and a half the status and duties of the department have become pretty clearly defined, a satisfactory working basis has been reached, and it is, therefore, timely to describe the place it occupies in the municipal household.

FUNCTIONS OF THE DEPARTMENT.

It investigates and determines the legal settlements of all applicants for admission to all State and city institutions.

It acts as agent of the Board of Pauper Trustees in receiving applications for admission to the State and city almshouses, with discretionary power to grant or refuse applications according to the circumstances of the case. Acting for the same Board, it also receives and investigates applications for discharges from the Long Island Almshouse.

It makes application for the commitment of the insane to the various hospitals and of dipsomaniacs, after due examination by two competent physicians in regular employ of the department, and thorough inquiry into the history of the cases.

It maintains for its own use, as well as for the use of affiliated departments, a complete and elaborate system of registering all available data relative to the children, paupers, insane persons and prisoners in charge of the City of Boston; and, in addition, publishes a monthly bulletin showing the number of persons supported wholly or in part by the city.

Finally, it is a function of the department to utilize so far as possible the statistical and other material collected for the purpose of adding to our knowledge concerning the problems that are daily pressing upon those charged with the care of the public wards of the city.

From the nature of its activities, the department is in peculiar and very close relations to the Pauper, Children's, Overseers of the Poor, Insane and Penal Departments; it was intended as, and has, in fact, become a connecting link between them. Its duties not only entail intimate co-operation with the affiliated departments, but, under the law, these are at liberty to call upon the Institutions Registration Department for assistance in all matters connected with accounts, the registration and tabulation of statistics, etc. It is also in daily touch and co-operation with State Boards and institutions.

In its larger aspects the work of the Institutions Registration Department is exclusively of an expert nature, requiring special training and experience. Carelessness or lack of expert knowledge would not only lead to an increase in the large expenditures of the city in supporting the large body of paupers and insane, but would endanger the cordial relations with the many boards and institutions which are so essential to efficient service.

In addition to the Registrar and two examining physicians, the department employs in the office and for the maintenance of its ambulance and transportation service a permanent force of thirteen persons.

THE YEAR'S WORK.

Investigation of Settlements.

As heretofore, investigations to determine the legal settlements of all classes for admission to the State institutions continue to be one of the most important functions of the department, since its decision determines the liability of the city for the support, often for the remainder of their lives, of thousands of sane and insane paupers. The magnitude of the work is indicated by the fact that last year 4,942 settlements were investigated, a slight increase over the year preceding, 367 of which were made on behalf of the Trustees for Children. In 987 cases it was necessary to visit the homes of the applicants or their relatives and friends in order to obtain the histories of the persons concerned, and to secure evidence by which settlements could be determined. The number of settlements always exceed the number of applications made to the department, as many defective or insane persons, for whose support Boston is liable, are committed to State institutions from other cities and towns. Quarterly bills for the support of such persons are rendered to this department by the State Board of Charity and State institutions, and are verified before being sent to the several departments concerned for approval.

ADMISSION OF PAUPERS.

The applications of all kinds that came to this department numbered 4,120, an increase of 140 over last year, of which 662 were either withdrawn or refused, leaving 3,458 applicants who were actually admitted to city and State institutions. Of these by far the greater number, namely, 2,544, were paupers, and were distributed among institutions as follows:

| | |
|--|-------|
| Boston Almshouse and Hospital, Long Island | 758 |
| Charlestown Almshouse | 45 |
| State Sanatorium | 12 |
| State Hospital, Tewksbury | 1,729 |

The last group has no legal settlement in Boston.

The increase in the admission of paupers is partly due to the removal of phthisis cases from their homes by order of the Board of Health, and, partly, to the larger general use of the excellent hospital facilities both at Long Island and Tewksbury. During the year, 30 persons suffering from phthisis were thus removed, 24 of whom were sent to Long Island and 6 to the State Hospital at Tewksbury. An

increasing number of persons is being transferred from the city and other hospitals in Boston to the two almshouse hospitals. This was done in 102 cases, of whom 29 were sent to Long Island and 73 to Tewksbury.

At the request of the Pauper Institutions Trustees the department continues to receive and investigate applications for discharges from Long Island Almshouse. Six hundred and one applications were thus investigated last year.

COMMITMENT OF THE INSANE AND DIPSOMANIACS.

Since April 17 the department has made all applications for the admission of insane persons and inebriates, and thus added another function to its list. Formerly this particular duty was assigned to an employee of the Penal Institutions Department, although the required medical examinations were made by two physicians regularly employed by this department, with occasional outside assistance.

In all, 962 persons were examined as to their sanity, with the result that 219 were committed to the Boston Insane Hospital and 316 to the various State insane hospitals, including the State Asylum for Insane Criminals and the Massachusetts Hospital for Epileptics; 200 persons, 165 men and 35 women, were sent to the Observation Hospital at Deer Island. Of this number, 165 were delirium tremens cases and 35 so-called observation cases, and 18 of them were later committed as insane. The marked decrease in the number of persons committed to the Massachusetts Hospital for Dipsomaniacs — 179, as against 218 in the preceding year — is largely attributable to the fact that applications are now made through this department, which, with its larger facilities for investigation, is able to guard against the commitment of inebriates who have more or less extended penal records, or who, in other ways, are discovered to be inveterate drinkers, and are unlikely to reform. The matter of making applications for the commitment of the two classes in question has added not a little to the daily work, but the arrangement possesses some distinct advantages. Aside from its being under the law a proper function of the department, it insures a closer investigation of cases, simplifies the process of obtaining full records relative to the insane, and aids to a better selection of candidates for the Dipsomaniac Hospital.

VAGRANTS.

The policy inaugurated by the Pauper Institutions Trustees in 1899, of refusing to admit able-bodied vagrants to

the Long Island Almshouse, not only continues in force, but has had a very salutary effect in materially reducing the number of applicants of this class. In 1900 there were 58 vagrants sentenced to the State Farm at Bridgewater who had made application at this office, as against 19 during last year. The fraternity of vagrants has evidently learned that, besides the uselessness of applying for admission to the almshouse on the part of those who have been brought to dependence through dissolute habits, they are in imminent danger of being dealt with as vagrants, which, under the law, means an indeterminate sentence to the State Farm. Exceptions are, of course, made in favor of those who are in immediate need of hospital treatment. In the case of applicants who are still on parole from the State Farm, the rule has been followed of notifying the Agent of the State Board of Charity rather than to take direct responsibility for their return to that institution.

THE WEEKLY BULLETIN.

The department has continued its publication of the Weekly Bulletin, now changed to a monthly, which affords a complete exhibit of the number of city cases supported in city and State institutions as well as of persons receiving aid from the municipality outside institutions. The extent of the city's activities in caring for dependents, defectives and delinquents may be gathered from the following figures taken from the Bulletin of January 25, 1902 :

Supported by the city in State institutions were 1,073 insane, 72 dipsomaniacs, 58 epileptics and 13 paupers, a total of 1,360. There were in city institutions 1,396 prisoners, 6 observation cases, 8 children of imprisoned mothers, 887 paupers, 501 insane, 609 hospital patients, 137 cases in charge of the Board of Health, and 315 children in addition to the 933 children cared for outside institutions. This brings the number of persons supported by the city up to 6,152, and these truly impressive figures represent, with unimportant fluctuations, the numerical strength of our army of public charges who are wholly supported by the municipality as it may be found every week of the year. Beyond this, the city renders aid to thousands through the Soldiers' Relief Department, the Overseers of the Poor, the police, etc., so that the whole number of persons wholly or partly supported by the City of Boston averages 12,070 a week. Further details on this subject are given elsewhere in tabular form.

REGISTRATION.

By the addition of a new finding catalogue designed to prevent duplication and facilitate cross-references, so that individuals in the different groups of dependents and delinquents may be easily identified, our system of registration has advanced another long step during the year. The machinery by which the department collects and preserves data relative to the public charges of the city is now fairly complete, and the test of time has shown it to be eminently workable and satisfactory. The importance of having ready at hand detailed facts, especially regarding the thousands of men and women who again and again apply for admission or are committed to institutions, cannot be overestimated; for on their availability the proper disposition of applicants largely depends. Moreover, it is necessary that the department should be able, as it now is, to act as a distributing centre which at all times can be drawn upon by the affiliated departments and others for such information as they may require. In this respect the department has more and more fulfilled its mission.

But the whole system of registration has the larger purpose of affording material for studies that may enlighten and help us concerning the problems of dependency and delinquency which play such a large part in the municipal economy. Perceiving such work to be in the line of its duties, the department last year published a report dealing with recidivistic misdemeanants, and now presents some fundamental facts regarding juvenile delinquents which have not hitherto been available. Further activities in this direction—and in a progressive community they should be considered indispensable—are largely conditioned by opportunity. Work of this nature can only be developed slowly, and the growing demands upon the department leave but little time for other duties than those of a routine character, notwithstanding two additions to our clerical force within the year.

ROUTINE WORK.

Many duties devolve upon the department which cannot be given extended mention. Thus daily reports are made to the Insane Hospital Trustees of all cases admitted to institutions under their charge and to State insane hospitals, daily reports are also made to the Pauper Institutions Trustees of all admissions to Long Island and Charlestown Almshouses, and passes are made out for visitors to these

institutions. A weekly report of applications withdrawn and refused are also furnished the same authorities. The Penal Institutions Department is regularly notified of all admissions of delirium tremens and observation cases to the hospital at Deer Island and of their legal status in regard to settlement. In return, numerous reports are received from city and State institutions for purpose of registration, for the use of the Bulletin, etc.

The ambulance and transportation services are very essential parts of the department machinery. During the year more than 100 persons sent to the almshouses were moved in the ambulance, and this vehicle has been at the service whenever required of other departments, such as the Soldiers' Relief, Board of Health, as well as all private hospitals.

CHANGES IN THE DEPARTMENT.

Mr. John E. Gilman, who has had charge of the settlement division since the establishment of the department, left it in April to become Soldiers' Relief Commissioner, and Mr. Charles F. Gaynor was promoted to his place.

The death of Dr. Waterman, for many years one of the examining physicians, has deprived the department of the services of a man peculiarly fitted for his duties. His fidelity, ability and unfailing kindness in dealing with the unfortunate and sick will long be remembered. Dr. Charles G. Dewey, of Dorchester, who has been appointed his successor, has had long experience in the treatment of mental diseases, including a service of more than eight years in the hospitals of the Commonwealth, and comes to the department exceptionally well recommended.

The increasing work of the department has necessitated the addition of two clerks, who, as usual, were secured from the eligibles on the civil service list.

GENERAL REMARKS.

An unusually large number of very sick persons requiring the services of the department, and lately the prevalence of small-pox in the city, have helped to emphasize anew the inadequacy of the quarters occupied. The rooms in the basement of the old Probate Building, used for the reception of applicants, and where they must wait until they can be disposed of, are not only unsanitary, but do not afford that privacy one would like to accord to the very sick and others who should be shielded from public gaze. Although lately some improvement has been made, the facilities for caring for

the sick are very poor. Moreover, the department is called upon to meet all sort of emergencies. It happened not long ago that a woman gave birth to a child in one of these basement rooms. A little later a man apparently at death's door had to be kept in the waiting room set apart for women. During the prevalence of an infectious disease the lack of accommodations, especially the want of opportunity for isolating patients, has been very pronounced.

The main office itself is little more than a public thoroughfare. The passing to and fro every moment of persons who simply use the place as a short cut between Court square and Tremont street is disturbing to work as well as to the sense of privacy which ought to be accorded those who are sick or in distress, and of such very many find their way to the department in the course of the year.

FINANCIAL.

The expenditures for the year have been \$22,662.50, an increase of \$173.63 over the year preceding. The items of expenditures are given elsewhere in full. The increase in expenditures of the department since its organization has hardly been proportional to the expansion of its work.

Respectfully,

WILLIAM P. FOWLER,

Institutions Registrar.

INVENTORY OF PROPERTY IN THE POSSESSION OF THIS DEPARTMENT.

Furniture, Office Room 2.

| | |
|---------------------------------------|--|
| 1 bookcase. | 1 clothes cabinet, containing 6 lockers. |
| 1 counter. | 9 cabinets for settlement histories, correspondence, cards, etc. |
| 3 roll-top desks. | 2 accountant's desks. |
| 2 typewriter's desks. | 15 chairs. |
| 2 typewriters. | Miscellaneous office stationery. |
| 1 telephone and sound-booth for same. | 1 letter press and cabinet. |
| 9 volumes commitment records. | |

Examining Physicians' Office.

| | |
|------------------|-----------------------------|
| 2 oil cloths. | 2 small tables. |
| 1 roll-top desk. | 7 chairs. |
| 1 bookcase. | 22 volumes medical records. |
| 1 lounge. | Miscellaneous stationery. |

Basement.

| | |
|-------------------------------|-------------|
| 1 iron bed. | 4 settees. |
| 1 rubber mattress and pillow. | 2 cabinets. |
| 3 tables. | 1 desk. |

Transportation.

| | |
|------------------------------|------------------------------|
| 1 carriage. | 2 mattresses for stretchers. |
| 2 horses for above carriage. | 8 blankets for stretchers. |
| 1 set double harness. | 1 horse. |
| 4 stable blankets. | 1 harness. |
| 4 street blankets. | 1 robe. |
| 1 ambulance. | 2 whips. |
| 2 stretchers. | |

Records.

| | |
|---|--|
| Miscellaneous volumes containing records of admission to almshouses and other institutions. | |
| 4 account books (1 bill book, 1 journal, 1 expenditure book, 1 ledger). | |
| 2 volumes records, Overseers of the Poor. | |
| About 50,000 settlement histories (written). | |
| Miscellaneous volumes, such as Boston directories, Acts and Resolves, tax books, settlement records and reports of various kinds. | |
| About 26,000 cards containing records of admissions to the institutions filed in tin boxes (old). | |
| About 2,000 envelopes. | |
| 2,000 index cards, insane patients in institutions. | |
| About 12,000 large cards (new). | |
| About 12,000 large cards containing institutions records of prisoners and paupers. | |
| About 4,000 investigation reports. | |
| About 500 commitment blanks. | |
| About 1,000 blank index cards. | |

Institutions Registration Department.

Investigations of Settlements, etc.; Medical Examinations and Commitments of the Insane; Prosecutions for Vagrancy; and

1901 - 1902.

INSTITUTIONS REGISTRATION DEPARTMENT.

EXPENDITURES FOR YEAR ENDING JANUARY 31, 1902.

| | | | | | | | |
|-----------------------------|---|---|---|---|---|-----------------|-----------|
| Salaries and wages | . | . | . | . | . | \$15,228 | 70 |
| Medical services | . | . | . | . | . | 3,591 | 04 |
| Horse-keeping | . | . | . | . | . | 1,585 | 43 |
| Transportation | . | . | . | . | . | 843 | 85 |
| Printing | . | . | . | . | . | 720 | 63 |
| Office expenses and repairs | . | . | . | . | . | 174 | 32 |
| Stationery | . | . | . | . | . | 117 | 58 |
| Telephone | . | . | . | . | . | 173 | 00 |
| Postage | . | . | . | . | . | 117 | 00 |
| Food | . | . | . | . | . | 110 | 95 |
| Total | . | . | . | . | . | \$22,662 | 50 |

JUVENILE LAW-BREAKERS IN BOSTON.

During recent years, there have been many signs of an increasing interest in the problem of juvenile delinquency. This is largely traceable to the activity with which associations and individuals have addressed themselves to the task of bettering the conditions of children, especially in the congested sections of our large cities. The multiplication of organizations, clubs, gymnasia, playgrounds, public baths and other social agencies of constructive or preventive character, has necessarily had the effect of drawing attention in an unwonted manner to the juvenile offender. It is being realized, as never before, that this problem calls for a larger and better effort if we are to cope with it in an effectual manner. The outcome has not merely been speculation and discussion, but a wider application of new methods in treating the young law-breakers. One need only instance the recent establishment of juvenile courts in cities like Chicago, New York, St. Louis, Buffalo, Baltimore and others which have the double purpose of securing a uniform administration of justice, and separating the young from the maturer offenders. Coupled with it is the ever-increasing adoption of probation as a corrective principle as a substitute for the fine and imprisonment and institutional treatment.

Notwithstanding all that is being accomplished in this respect or in the direction of improved institutional methods, and the well-directed energy of private agencies, hardly a locality, and certainly not a single State, has got beyond the experimental stage in dealing with the juvenile offender. There is not only a want of intelligent public interest in, but even very little accurate knowledge about, the question of juvenile delinquency in general in any given locality. Thus, the relative increase or decrease in the annual crop of youthful law-breakers is practically everywhere an unknown quantity. Our information is even more vague regarding the larger aspects of the matter, whence these offenders come and why they are such, the influence of police methods, the operation of corrective measures, the comparative result of divergent policies in regard to punishments, what proportion of those who are taken in hand by the State eventually drift into the more or less permanent criminal classes, etc. Until we have some means of gauging the success or non-success

of the official preventive and punitive methods employed, it is difficult to determine what is accomplished through private efforts in improving the environments of the least fortunately placed children, and counteracting their wayward or criminal tendencies.

Intimate knowledge upon the whole subject or its parts may be lodged in the brains of individuals, but it has not become public property. While there is no lack of theory and experiment joined with much intelligent effort, there is no available measure of the magnitude of the problem and of achievement in dealing with it.

The following pages merely aim to present certain elementary facts fundamentally important to a general understanding of the problem of juvenile delinquency in Boston and how it is dealt with, which have never before been collected. It is hoped that this general and very cursory survey may be followed later by a more searching inquiry, which, if carried over a period of years in sufficient detail, may reveal what progress is being made, and by what means, in meeting one of the most difficult social questions of our city.

ARRESTS.

The statutes of Massachusetts define as "juvenile offenders" all who have not attained their seventeenth birthday. In practice, the age line drawn by law between juvenile and adult offenders often results in somewhat artificial distinctions. For this reason, and because of the treatment of the offender, the modern tendency, as it is developed in this State, is to extend rather than to limit the age during which they may still be regarded as juveniles. These statistics are made to cover all offenders under eighteen years of age. As will readily be seen the presentation of the matter is not thereby obscured for those who desire to know only the facts relative to juvenile offenders according to the age limit set by statute.

Strictly speaking, many of the children who appear in the columns of Table 1 have not been subjected to the process of arrest. Beside exempting children under seven years of age from liability to criminal prosecution, the law provides that upon a complaint against a child under twelve years of age, except for a capital offence and that of being an habitual truant, a summons must first be issued instead of a warrant; and, if the child fails to appear upon such summons, a warrant for his arrest follows. If the offender is more than twelve years of age the court has the option to issue a summons or a warrant. But the law expects a summons to be

issued unless there is reason to believe that the child would not respond to it. In just what proportion children under twelve years are thus spared formal arrest does not appear. The process of summoning cannot apply, of course, when the child is caught by the police in the act of committing a breach of the law, which, needless to say, is a very common occurrence.

Far more material in its effect upon the child than the substitution of the summons for a warrant for arrest is the provision that a child under twelve, who is held for examination or trial, if unable to furnish bail, must not be locked up like an ordinary offender, but must be committed to the State Board of Charity for safe keeping.*

As a matter of fact this is rarely done, for some one is usually ready to become surety for the child's appearance. This is also true of children of twelve years or more, who, in default of bail, may be committed while awaiting trial or examination. Usually the child is sent home with his parents on their recognizance. The difference between the treatment of children and adults when caught by the police in the act of committing an offence is that, while both are actually arrested, the child is permitted to go home, and a summons is issued for his appearance before the court, while the adult is locked up unless he can furnish bail.

These explicit behests of the law are generally observed in practice, although in the contact between the police and the youthful law-breakers, circumstances may arise in which action cannot always be governed by statutory provisions, but call for the exercise of discretion and common sense. Such, for instance, may be the case when a technical offence does not necessarily involve criminal intent, as in the violation of certain city ordinances, or when police interference is sought by the parents of a child without a formal complaint being made.

Table 1 groups all children, both boys and girls, whether formally arrested or merely summoned, under one head, and exhibits, according to ages, the number thus dealt with for a series of seven years, running from October 1 to October 1, the year 1889-90 being included for the sake of a more complete comparison as to fluctuations. The table, of course, embraces not only the cases eventually brought to trial, but also those "dismissed" by the police, of which more hereafter.

* A recent amendment of the law (approved in April of this year) makes it illegal to commit a child under twelve years of age to a police station, jail, etc., pending an examination. This would seem to prohibit any detention of a child under twelve in a police station.

Table 1.—Arrests of Juveniles in Boston.

| AGE. | 1889-90. | 1895-96. | 1896-97. | 1897-98. | 1898-99. | 1899-1900. | 1900-01. |
|--------------|----------|----------|----------|----------|----------|------------|----------|
| 5 ..... | ..... | ..... | ..... | ..... | ..... | ..... | 1 |
| 6 | 1 | 5 | 1 | 1 | 3 | 4 | 2 |
| 7 | 6 | 13 | 12 | 8 | 4 | 17 | 18 |
| 8 | 23 | 23 | 27 | 22 | 27 | 35 | 44 |
| 9 | 81 | 62 | 56 | 46 | 63 | 46 | 95 |
| 10 | 135 | 131 | 77 | 104 | 132 | 116 | 183 |
| 11 | 156 | 181 | 127 | 174 | 173 | 175 | 195 |
| 12 | 206 | 247 | 202 | 204 | 263 | 259 | 306 |
| 13 | 271 | 216 | 240 | 272 | 268 | 285 | 298 |
| 14 | 389 | 331 | 327 | 333 | 397 | 287 | 386 |
| 15 | 368 | 311 | 334 | 421 | 374 | 345 | 343 |
| 16 | 403 | 461 | 415 | 423 | 438 | 444 | 452 |
| 17 | 448 | 469 | 481 | 482 | 468 | 465 | 407 |
| Totals | 2,487 | 2,450 | 2,299 | 2,490 | 2,610 | 2,478 | 2,730 |

So far as the police returns may serve as a guide — and at present we have none safer — it is evident that during the years covered by the table the number of juvenile offenders taken in hand by the authorities has on the whole diminished in proportion to the population of the city. Thus in 1889-90 this class of arrests numbered 5.54 per thousand inhabitants, as against 4.41 in 1899-1900, and 4.86 in 1900-1901. The apparent upward tendency last year finds to some extent its explanation in the campaign made against unlicensed newsboys and pedlers. Beyond such sporadic efforts there have been no changes in police methods, nor any other circumstances which tend to nullify the cheerful inferences to be made from this table. How far conditions in Boston reflect those of other cities in the Commonwealth is not known. The general accepted evidence points the other way, but it does not seem to be conclusive.

It is outside the scope of this study to trace the causes that have contributed to keep down the level of arrests in spite of the increasing population and a large influx of the foreign elements, which are popularly supposed to augment the classes which furnish the young offenders. Until other proof is at hand, are we not justified in believing that the relative diminution of juvenile offenders is due in the first instance to the work of public and private agencies in providing care, homes and education for neglected and dependent children; and, secondly, to the manifold associate and indi-

vidual efforts to improve the environment of children and to direct their youthful energy within law-abiding channels?

No attempt has been made to localize the juvenile offenders, nor to show their relations to the different nationalities in our population, although sufficient has been learned to make the current belief about the vicious influence of recent immigration in this respect seem doubtful.

Another table shows the number of children tried or examined by each separate court, and affords an inkling of the quota of offenders contributed by the various sections of the city.

In the whole number of arrests only 116 girls are represented, so that it is essentially a boy's problem with which we are concerned.

An arrangement of the percentages of arrests, according to ages, for the last year represented in the table, results in this very interesting showing:

| Ages. | Percentage of Arrests. | Ages. | Percentage of Arrests. |
|---------|------------------------|---------|------------------------|
| 5..... | 0.03 | 12..... | 11.20 |
| 6..... | 0.07 | 13..... | 10.91 |
| 7..... | 0.65 | 14..... | 14.13 |
| 8..... | 1.61 | 15..... | 12.56 |
| 9..... | 3.47 | 16..... | 16.55 |
| 10..... | 6.70 | 17..... | 14.90 |
| 11..... | 7.14 | | |

While children of sixteen furnish the largest percentage, those of compulsory school age contributed nearly 42 per cent. of the arrests. On the other hand, the percentage of lads of seventeen is smaller than might have been expected; indeed it exceeds only by a fraction that of boys of fourteen.

OFFENCES FOR WHICH ARRESTED.

The catalogue summing up the misdeeds charged against the youthful portion of our population is long and varied, containing 43 divisions (Table 2), although some of them are so closely akin that the distinction is almost purely technical. The diversity in kind is, however, great, ranging from the petty transgression of throwing snowballs in the streets to such serious crimes as manslaughter, rape, etc. But a mere enumeration of the nature of the offences according to their legal nomenclature and the number of youth held for each does not permit any hard and fast inference

in regard to the proportion of children arrested, who by their acts betray distinct criminal tendencies. Many acts of boys, which are technically unlawful, result from thoughtlessness or an ebullition of youthful spirits, and the fact that the perpetrators are sometimes brought into conflict with the police does not necessarily point to their moral depravity. Violations of laws or city ordinances like trespass, stealing rides on freight cars, playing ball in the streets, lighting bonfires, rummaging for food in offal barrels, etc., are not in themselves particularly serious, nor need they be taken as a mark of an evil bent in the boy. It should be noted that about 25 per cent. of the offences charged in the table are of this nature.

On the other hand, it may happen that the only formal charge brought against the really vicious boy may, for some reason, be of a rather trivial character. The particular violation alleged is frequently anything but a safe index of the degree of the boy's badness. But if care should be taken not to exaggerate the matter, and see an incipient criminal in every boy who is led before the Court by an irate parent or a sorely pestered policeman, the facts in our table surely afford little ground for minimizing the gravity of the greater number of the offences enumerated.

Larceny, as might have been expected, is the offence which brings more boys to grief than any other, being alleged in no less than 27.12 per cent. of the whole number of cases coming before the courts last year. It is noteworthy that so many boys of tender years are held for larceny. Surprisingly large is the number of lads of the ages 12, 13 and 14, who were arrested for this offence, and who far outnumber those of 17 years of age. The term larceny is, of course, a very comprehensive one, and may cover a mis-appropriation of property, which, according to the code of the average boy, is not a serious wrong, such, for instance, as that of stealing fruit, or it may stand for the deliberately planned theft of money from the person. That very many cases of larceny are not to be made light of is evident from the sentences imposed by the courts, as appears in the next table.

Next in point of number are those arrested for violation of city ordinances. These are usually some of the least important offences for which boys are held, such as throwing missiles, selling papers and merchandise without a license, loitering on street corners, obstructing the sidewalk, etc., etc.; and it is a violation rarely entailing a severer punishment than a fine.

Breaking and entering, on the other hand, which stands as

Table 2. — Offences for which Arrested, According to Ages.

number 3 in our table with regard to the number of arrests, is the gravest crime against property of those mentioned. There are, however, several legal sub-divisions of this crime which it is unnecessary to specify, even though they may indicate that one kind of breaking and entering is a more flagrant breach of the law than another. It is sufficient to know that, according to Massachusetts law, an offence under this head may be punishable only by imprisonment, except, of course, that the case may be taken on probation. Here, too, it is notable how many of the boys concerned were under 14, namely 41.69 per cent., and those of 14 years outnumber the lads of 17 years of age.

The offence of being a stubborn child frequently means much more than the term implies. It will be observed that considerably more than one-half of those arrested on this charge were between 15 and 17 years of age. The explanation is that this charge is often preferred in the place of a more serious one on which the child in question might have been held. This is done not so much for the sake of mitigating punishment (for, as will be shown in a subsequent table, many stubborn children are sent away for institutional treatment), but in order to soften the public record against the child. Thus it happens that a child who has really been guilty of idle and disorderly conduct is sentenced by the court merely as a stubborn child. This course is adopted more frequently in the case of girls than in the case of boys; and it is one the wisdom and humanity of which must be highly respected.

It is a striking fact that while few offences appear in Table 2, for which only older boys have been arrested, a proportionately smaller number of boys of 17 than those of tenderer years have been held for the important offences enumerated.

The soundness of the deduction made with regard to the relative diminution in the number of arrests of juveniles is substantiated by a comparison of the percentages of arrests for grave offences in 1889-90 and 1900-01. If there had been a notable growth in the number of arrests for larceny, breaking and entering, idle and disorderly conduct, etc., there would be small comfort in the fact the arrests for milder offences had decreased in proportion to the population. But this is not the case. The slightly larger percentages of arrests for breaking and entering and larceny last year, as compared with 1889-90, are quite offset by the arrests for embezzlements, robbery, forgery, etc., which have no place in the table of offences for 1900-01. So far as the gravest

class of crimes is concerned, the statistics do not reveal any perceptible change for better or worse during the past ten years.

The offence of drunkenness forms an interesting exception. On this charge no less than 143 juveniles were arrested in 1899-90, or 5.77 per cent., as against 52 in 1900-01, or 2.36 per cent. of the whole number.

It should be noted that Table 2 deals only with the arrests for offences which led to subsequent trial and examination. There are, however, very many children who have been arrested for various misdoings, but are later "dismissed" by the police, presumably for want of sufficient evidence to warrant prosecution. Last year there were no less than 535 such cases entered upon the official records. About 82 per cent. of these were booked as "suspicious persons." In the case of young children this may mean nothing more than that they were picked up wandering about the streets at an unseemly hour, while in the case of boys of 16 and 17 there may have been too good reasons to believe that they had been guilty of, or were planning, criminal acts. Not a few, it would appear, had been guilty of improper conduct, and were allowed to escape with something akin to threats of prosecution for future misbehavior.

Table 3.—Cases Dismissed by Police.

| AGE. | OFFENCES FOR WHICH ARRESTED. | | | | | | | | | | | Total. |
|------------|------------------------------|-------------|-----------|--------------|-----------------|--------------------|----------|---------|---------------------|---------------------------------|-------------------------------|--------|
| | Suspicious Persons. | Disorderly. | Deserter. | Drunkenness. | Stubborn Child. | Present at Gaming. | Larceny. | Gaming. | Malicious Mischief. | Violation of U.S. Revenue Laws. | Violation of City Ordinances. | |
| 5..... | ..... | ..... | ..... | ..... | ..... | ..... | 1 | ..... | ..... | ..... | ..... | ..... |
| 6..... | 1 | 1 | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... |
| 7..... | 2 | 1 | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... |
| 8..... | 4 | 1 | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... |
| 9..... | 13 | 5 | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... |
| 10..... | 23 | 7 | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... |
| 11..... | 23 | 10 | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... |
| 12..... | 44 | 17 | ..... | 1 | 1 | ..... | ..... | ..... | ..... | ..... | ..... | ..... |
| 13..... | 44 | 7 | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... |
| 14..... | 52 | 13 | ..... | ..... | ..... | ..... | ..... | ..... | 1 | ..... | 1 | ..... |
| 15..... | 59 | 6 | 1 | ..... | ..... | 2 | ..... | ..... | ..... | ..... | ..... | ..... |
| 16..... | 80 | 11 | ..... | ..... | 1 | ..... | ..... | ..... | ..... | ..... | ..... | ..... |
| 17..... | 96 | 3 | 1 | ..... | ..... | ..... | ..... | 1 | ..... | 1 | 1 | ..... |
| Totals.... | 441 | 82 | 2 | 1 | 2 | 2 | 1 | 1 | 1 | 1 | 1 | 535 |

DISPOSITION OF JUVENILES IN THE LOWER COURTS.

Before proceeding to analyze the tables under this head, it is necessary to speak briefly of the laws governing procedure in juvenile cases and their disposition.

Police, municipal and district courts and trial justices, and, outside Suffolk County, judges of the probate courts, have jurisdiction in the case of juvenile offenders, and are required to try them "separate and apart from other criminal cases." In compliance with this requirement the ordinary session of the court is adjourned, and a new session is opened, designated as the "session for juvenile offenders." A separate docket and record are kept of cases tried in this session.

If a father of a juvenile offender is living and resident where the child is complained of, he must be summoned to the trial. If he is not so living and resident, the mother must be summoned or the person with whom the child resides; or, if there is no such person, the Court may appoint a suitable person to act in behalf of the offender at the trial.

If the Court is of the opinion (before the trial) that the offender, if found guilty, should be sent to a public institution, or committed to the care of the State Board of Charity, it must notify that Board, so that it may have an opportunity to investigate the case, and attend the trial and protect the interests of, or otherwise provide for, the child. As a rule, an agent of the Board appears in such cases, and, after investigation, advises in regard to the disposition to be made of it.

The Court, upon the request of the State Board of Charity, may authorize that Board to take a convicted juvenile offender, and the Board may place him in charge of any person. The custody of such a child remains in the Board during its minority. If a boy, who has been so taken, becomes unmanageable, the Board may commit him to the Lyman School, if he is under 15 years of age. A girl so taken may be committed by the Board to the State Industrial School, if she is under 17 years old. In either case the commitment is during minority. The Board may discharge from its custody any child that has been committed to its care.

The Court may place a juvenile offender on probation in care of its probation officer. In 1901, 947 cases of such offenders were disposed of in such a way in the minor courts of the Commonwealth.

In the case of the non-payment of a fine, the child, if 12 years of age, may be committed for a definite number of days, according to the amount of the fine, to a county prison, or to any institution established by law for the reformation of juvenile offenders. If under 12, it may be committed to the last-named institution.

A device that has sometimes been used to avoid committing for the non-payment of a fine is the continuance of the case with the informal intimation that at the end of the period of the continuance a certain fine would be imposed. The interval gave opportunity for preparation to pay the fine. Recently, in fact, the law has definitely provided for the "suspended fine."

A boy, if under 15, may be sent to the Lyman School during his minority; if 12 or above he may be sentenced to the Massachusetts Reformatory or to the county prison. A girl, if under 17, may be sent to the State Industrial School during minority; if 12 or above she may be sentenced to the Reformatory Prison for Women or to the county prison. For boys up to 15, the Lyman School, and for girls up to 17, the State Industrial School, are the usual places of commitment.

The law provides also that the juvenile offender of either sex may be committed to "any institution established by law for the reformation of juvenile offenders." Boston has such an institution, known as the House of Reformation for Juvenile Offenders. Boys only (not more than 16 years of age) are received into it. Most of them are committed during their minority, and others for short terms for non-payment of fines. The Plummer Farm School at Salem is the only other institution of this kind. It receives only boys from the City of Salem. There is no similar institution for girls.

In Boston there are eight Municipal Courts, each of which has jurisdiction in the case of juvenile offenders in its own district. The State Board of Charity has agents who attend trials of juvenile offenders in these courts. Each court has a probation officer. In the Central Court there are several probation officers, including two for women and girls. In these courts, excepting the Central Municipal Court as hereafter explained; the probation officers take charge of juvenile as well as adults. Sometimes, especially in the Central Municipal Court, an agent of the State Board of Charity acts as surety. In such cases, however, in the Central Court, an agent of the societies mentioned below performs the work of supervision, as well as in cases in which they are sureties.

In the Central Municipal Court, the system of dealing with these cases differs somewhat from that obtaining in the courts of the outlying districts. The Boston Children's Aid Society and the Society of St. Vincent de Paul are each represented in the court by an agent who attends each session to look after cases which, in the opinion of the Court, can be dealt with without fine or commitment. The Society of St. Vincent de Paul gives its attention to Catholic children, and the Children's Aid Society to all others. The societies are not recognized as such by the Court, for in Massachusetts no offenders are ever committed to the custody of any private organizations. The agent acts in his personal capacity, but the fact that he represents a society is known to the judge, and is a factor in the decision to place the case in his hands. When, in the opinion of the Court, friendly supervision and oversight are likely to be of value, the case is continued, usually for eight weeks, and the agent of one of the societies in question becomes surety for the child's appearance on the day fixed for the further consideration of the case. If the agent of the Children's Aid Society accepts the responsibility, the child comes under the care and supervision of that organization. Usually the duty performed is that of supervision in the child's own home; in some cases it is placed out in a family, the society being responsible for its support, if necessary. If the agent of the Society of St. Vincent de Paul takes charge of the case, the child is placed under the supervision of one of its representatives in its own home.

If, at any time, it is found that good results cannot be secured by this method of treatment, the agent, as surety, may surrender the child to the Court.

When the day arrives for the appearance of the child in court, on the continuance, it comes with the agent, who reports regarding the result of the supervision. When the child is found to be doing well the case may be dismissed, or, if it is thought the further supervision will be beneficial or is necessary, another continuance is ordered. In a few cases, when the child is at a distance and doing well, and it is thought to be better that he should not be brought into court again, the report of the agent is accepted, and the case is disposed of without the child's appearance. The result of these methods is, as a rule, that the friendly visitation and the restraint involved in the process accomplish the desired purpose, and, in fact, almost all such cases are disposed of without sentence. The societies do not stop their work with the boys when the cases have been formally dismissed by the court, but continue friendly relations with them for years.

Table 4.—Disposition in Lower Courts, According to Ages.

Table 5.—Disposition in Lower Courts, According to Offence.

| | Larceny. | Breaking and Entering. | Violating City Ordinance. | Assault. | Malicious Mischief. | Drunkenness. | Gaming. | Stubborn Child. | Idle and Disorderly. | Vagrant. | Violating License Law. | Violating Railroad Law. | Violating Regulations of Board of Aldermen. | Violating Liquor Law. | Disorderly. | Nightwalking. | Deserter. | Indecent Assault. | Violating Health Law. | Selling Obscene Literature. | Disturbing Religious Meeting. | Profanity. | Truancy. | Violating Conditions of Probation. | Disturbing the Peace. | Violating U. S. Revenue Laws. | Fugitive from Justice. | Cruelty to Animals. | Manslaughter. | Burning. | Adultery. | Lottery. | Trespass. | Receiving Stolen Goods. | Violating Conditions of Pardon. | Disorderly House. | Stealing a Ride. | Default. | Incest. | Sodomy. | Conspiracy. | Rape. | Lewd and Lascivious. |
|-------------------------------------|----------|------------------------|---------------------------|----------|---------------------|--------------|---------|-----------------|----------------------|----------|------------------------|-------------------------|---|-----------------------|-------------|---------------|-----------|-------------------|-----------------------|-----------------------------|-------------------------------|------------|----------|------------------------------------|-----------------------|-------------------------------|------------------------|---------------------|---------------|----------|-----------|----------|-----------|-------------------------|---------------------------------|-------------------|------------------|----------|---------|---------|-------------|-------|----------------------|
| Not Guilty..... | 86 | 55 | 19 | 60 | 44 | 2 | 2 | 6 | 6 | ... | 2 | 17 | ... | 1 | ... | 1 | ... | 1 | ... | 1 | ... | 1 | ... | 13 | ... | ... | ... | 1 | ... | 5 | 2 | 1 | ... | ... | ... | ... | ... | ... | ... | ... | ... | | |
| On File..... | 90 | 37 | 48 | 32 | 26 | 9 | 4 | 16 | 1 | 2 | 1 | ... | ... | ... | 2 | ... | 1 | ... | ... | 3 | 2 | ... | 6 | 1 | ... | 9 | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | | | | | | |
| Probation..... | 126 | 79 | 29 | 15 | 12 | 8 | ... | 29 | 5 | 1 | ... | 12 | ... | 1 | ... | 1 | ... | ... | ... | 1 | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | | | | | | |
| Fined..... | 178 | 39 | 282 | 89 | 29 | 16 | 37 | 1 | 3 | 1 | 10 | 45 | 13 | 4 | 1 | ... | 4 | 1 | 2 | 6 | 1 | 1 | 6 | ... | ... | ... | ... | 1 | ... | ... | ... | ... | ... | ... | ... | ... | | | | | | | |
| Massachusetts Reformatory..... | 17 | 11 | ... | ... | ... | ... | ... | 8 | 3 | 1 | ... | ... | ... | ... | 1 | ... | 1 | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | | | | | | |
| Industrial School for Girls..... | 6 | ... | ... | ... | ... | ... | ... | 21 | ... | ... | ... | ... | ... | ... | 1 | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | | | | | | |
| Lyman School..... | 19 | 11 | ... | 1 | ... | ... | ... | 19 | 1 | ... | ... | ... | ... | ... | ... | 1 | ... | ... | ... | ... | ... | ... | 1 | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | | | | | | | |
| State Board of Charity..... | 3 | 5 | ... | ... | ... | ... | ... | 4 | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | 1 | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | | | | | | | |
| Jail..... | 2 | ... | ... | 2 | ... | 1 | ... | 1 | 1 | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | 1 | ... | | | | | | |
| House of Correction..... | 10 | 1 | ... | 2 | ... | 2 | ... | 2 | 5 | ... | ... | ... | ... | ... | 1 | ... | ... | ... | ... | ... | ... | 1 | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | | | | | | | |
| Parental School..... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | 36 | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | | | | | | | |
| House of Reformation..... | 20 | 18 | ... | 2 | 2 | ... | ... | 14 | ... | ... | ... | ... | ... | ... | 1 | ... | ... | ... | ... | ... | ... | 2 | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | 4 | ... | | | | | | | |
| Reformatory Prison for Women..... | ... | ... | ... | ... | 1 | ... | ... | 2 | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | | | | | | |
| State Farm..... | ... | ... | ... | ... | ... | ... | ... | 2 | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | | | | | | |
| Bound Over..... | 3 | 31 | ... | 2 | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | 1 | 1 | | | | | | | |
| Dismissed by Court..... | 26 | 7 | 6 | 3 | 3 | 13 | ... | 4 | ... | ... | 3 | ... | ... | 2 | ... | 1 | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | 2 | ... | | | | | | | | | |
| Sent to Police of Other Cities..... | 4 | 1 | ... | ... | ... | ... | ... | 1 | ... | ... | ... | ... | ... | 1 | ... | ... | ... | ... | ... | ... | ... | ... | 1 | 1 | ... | ... | ... | ... | ... | ... | ... | ... | 2 | ... | | | | | | | | | |
| Defaulted..... | 6 | ... | 1 | ... | ... | ... | 1 | 2 | 1 | ... | ... | ... | ... | ... | ... | 7 | 1 | 3 | 3 | 4 | 1 | 3 | 10 | 47 | 5 | 31 | 1 | 1 | 1 | 16 | 1 | 1 | 62 | 4 | 10 | 1 | 2 | 8 | 1 | 1 | 2 | 1 | 1 |
| Totals..... | 596 | 295 | 385 | 208 | 116 | 52 | 44 | 130 | 26 | 7 | 11 | 79 | 14 | 4 | 7 | 1 | 3 | 3 | 4 | 1 | 3 | 10 | 47 | 5 | 31 | 1 | 1 | 1 | 16 | 1 | 1 | 62 | 4 | 10 | 1 | 2 | 8 | 1 | 1 | 2 | 1 | 1 | |

In the courts, in the outlying districts of the city, the agents of these societies are ready to respond to a call whenever they are wanted, and a considerable number of children are taken by them in the course of the year, but most of the cases outside the Central Court are disposed of in other ways, with the aid of the agent of the State Board and of the probation officer of the Court.

Tables 4 and 5 supplement each other, one showing the general disposition according to age, and the other the disposition according to offence.

Judged merely by the numbers that have incurred it, the imposition of a fine seems to be a favorite mode of punishment in juvenile cases; it obtained in no less than 36.43 per cent. of the whole number. But its extensive use has a justification often lacking in the cases of adults. In the first place, the payment of the fine naturally falls upon the parents or guardians of the child, and may teach them to keep the offender better in hand for the future. Secondly, there are certain juvenile offences for which a fine seems a fitting kind of punishment so long as one must be meted out, notably violations of city ordinances and of the railroad law, assault, trespass, etc. Offences under these heads account for more than one-half of the 799 fine cases. One would hardly advocate burdening probation officers with the care of boys for ordinary violations of city ordinances. Moreover, the fine as applied in the Central Court (though strangely enough not in any of the others) is not infrequently a purely nominal affair, practically equivalent to a discharge.

The efficacy of the fine as a corrective measure is, however, open to much doubt when the offence shows criminal intent or disposition. And it is particularly questionable when the non-payment of fine results in imprisonment, whether it be at the House of Correction or the House of Reformation. This would have happened in 49 cases last year, except for the fact that 19 of them appealed, and for the most part successfully, as will be shown in a subsequent table.

The percentage of cases placed on file or taken on probation are just about equal, the former being 15 per cent. and the latter 15.68 per cent. of the whole number. How the courts compare in the use of these two methods of disposing of cases will be referred to later. In passing, it may be said that it is a mistake to regard the placing on file as in any way equivalent to probation. While it is true that both permit a case to be reopened, the element of custodial supervision, which is the essence of probation, is wholly lacking

when a case is placed on file. The latter method, however, may be entirely suitable in the kind of cases in which, as remarked, the fine also has its justification. But it is difficult to understand what corrective principle is made active by placing cases on file for such offences as larceny and breaking and entering.

About 10 per cent. were sentenced to correctional institutions, not counting the Parental School as such, namely, to the Massachusetts Reformatory 43, to the Lyman School 53, to the Industrial School for Girls 28, to the Reformatory Prison for Women 3, to the State Farm 2, to the County Jail 2, to the House of Correction 24, and to the House of Reformation for Boys 74. In addition, some were eventually sent to prison, being unable to pay the fine imposed. It deserves special mention that 14 of those sentenced to the jail or the House of Correction were under 17 years of age. A majority of those sentenced to the Massachusetts Reformatory were found guilty of larceny or breaking and entering, but eight were committed as stubborn children, which was also true of more than one-half of the girls who were sent to the Industrial School for Girls. As has been explained, the term "stubborn child" often stands for more than it ordinarily would imply; and this accounts, perhaps, for the otherwise inexplicable fact that persons under 18 are sometimes sent to the House of Correction and the Reformatory Prison for Women for being stubborn children.

With regard to the boys sent to the Parental School for truancy, it is not infrequently true that graver charges might have been preferred, but that on account of the tender years of the offender or for other mitigating circumstances that of truancy is substituted, provided, of course, that it exists.

DIVERGING POLICIES IN THE LOWER COURTS.

A comparison of the methods preferred in one court over another, based upon the general disposition of the cases, would obviously be unfair. That one court pronounces a larger proportion of the children tried not guilty than another, or dismisses more, may be entirely due to the nature of the evidence presented. But in the matter of imposing fines, placing cases on file, the use of probation, and to some extent in the sentences to prison, divergent policies are revealed which cannot be greatly affected by the circumstances that offences of the same kind are not distributed in equal proportion among the different courts.

Table 6.—Comparative Statement of Dispositions in the Various Lower Courts.

| COURTS. | Number of Cases. | On File. | Per cent. | Probation. | Per cent. | Committed to Penal Institutions. | Per cent. | Fined. | Per cent. | AMOUNT OF FINES IMPOSED. | | | | | | | | | | | | |
|-------------------|------------------|----------|-----------|------------|-----------|----------------------------------|-----------|--------|-----------|--------------------------|-------|-------|--------|-----|-------|-------|-------|-------|-------|-------|-------|------|
| | | | | | | | | | | \$01 | \$1 | \$2 | \$2.50 | \$3 | \$5 | \$7 | \$8 | \$10 | \$15 | \$20 | \$25 | \$50 |
| Central..... | 766 | 6 | .78 | 142 | 18.53 | 95 | 12.40 | 377 | 49.21 | 58 | 98 | 68 | ..... | 49 | 84 | ..... | ..... | 13 | 3 | 1 | 1 | 2 |
| Roxbury..... | 476 | 78 | 16.38 | 102 | 21.42 | 30 | 6.30 | 144 | 30.25 | 1 | ..... | ..... | ..... | 8 | 71 | 6 | 3 | 44 | 4 | 4 | 3 | ... |
| South Boston..... | 283 | 72 | 25.40 | 34 | 12.01 | 44 | 15.54 | 87 | 30.74 | ..... | ..... | 32 | ..... | 22 | 31 | ..... | 1 | ..... | 1 | ..... | ..... | ... |
| East Boston..... | 239 | 90 | 37.65 | 4 | 1.67 | 11 | 4.60 | 69 | 28.86 | ..... | 2 | 4 | ..... | 9 | 49 | ..... | ..... | 5 | ..... | ..... | ..... | ... |
| Charlestown..... | 192 | 60 | 31.25 | 15 | 7.81 | 31 | 16.14 | 50 | 26.04 | ..... | 7 | 2 | ..... | 17 | 19 | ..... | ..... | 4 | ..... | ..... | 1 | ... |
| Dorchester..... | 127 | 5 | 3.93 | 37 | 29.13 | 14 | 11.02 | 35 | 27.55 | ..... | 1 | 2 | ..... | 4 | 15 | ..... | 4 | 6 | 2 | 1 | ..... | ... |
| West Roxbury..... | 67 | 11 | 16.41 | 8 | 11.94 | 7 | 10.44 | 26 | 38.80 | ..... | ..... | 2 | 1 | 11 | 1 | 2 | 4 | 3 | 1 | 1 | 1 | ... |
| Brighton..... | 32 | .7 | 21.87 | 2 | 6.25 | 4 | 12.50 | 11 | 34.37 | ..... | 1 | ..... | ..... | 6 | ..... | 1 | ..... | 3 | 1 | ..... | ..... | ... |

In the Central Court it appears to be an exception that a case is placed on file, while in the other courts, with the exception of Dorchester, it is done in from 16 to 37 per cent. of all cases, the East Boston Court leading off with the largest percentage. On the other hand, the last-mentioned court is apparently very chary of placing children on probation. In fact, it may be said that the more cases a court places on file, the less use does it seem to have for probation in the treatment of juvenile offenders. The Roxbury Court may perhaps form an exception; it is distinguished for showing the largest percentage of probation cases, yet places very many on file.

The differences in the percentages of children sentenced to penal institutions are not caused solely by the fact that one court may happen to deal with a larger proportion of offenders who are found guilty of serious crimes. Much less is it accidental. The differences denote a severer or more lenient policy in the several courts. The Charlestown Court sends relatively four times as many juvenile offenders to prison as the East Boston Court and is closely followed by that of South Boston. The next lowest percentage of prison cases is exhibited by the Roxbury Court, as one might expect, since it makes such large use of probation and the placing-on-file method.

The variance observed in the use of the fine as a punishment is not nearly so marked. To be sure, the Central Court stands at the head with a percentage of fine cases considerably in excess of that of any other court, but if we subtract the number of those who have paid but a nominal fine, one cent or one dollar, it is brought pretty nearly to the level of the rest, and even below that of the Brighton Court. As to the amount of the fines generally, there is, however, some divergence, the average being much larger in some courts — in Roxbury, for instance — than in others.

DISPOSITION OF CASES IN THE SUPERIOR COURT.

The number of juvenile cases not finally disposed of in the lower courts, although not large, well deserves attention. They are, first, cases which by reason of the gravity of the offence do not come within the jurisdiction of the lower courts, and secondly, cases in which an appeal has been made from the decision of the lower courts.

Of the former kind, the cases "bound over," there were last year 39, nearly all of them being for breaking and entering. In 11 instances no bill was found; and of the 24 who

were eventually found guilty, no less than 16 were taken on probation, or about 66 per cent. These figures are in themselves sufficient to hint at a very marked divergence in the outcome of juvenile cases in the Superior Court as compared with that of the lower courts, a divergence which receives new emphasis when we examine the adjudication of appealed cases.

Table 7.—Disposition of “Bound Over” Cases, According to Ages.

| AGE. | OFFENCES. | | | | | | DISPOSITION. | | | | |
|------------------|-----------|------------------------|----------------------|----------|-------|----------|--------------|-------------|-------------|------------|---------------|
| | Larceny. | Breaking and Entering. | Lewd and Lascivious. | Assault. | Rape. | Burning. | No bill. | Nol pros'd. | Not Guilty. | Probation. | Lyman School. | Massachusetts Reformatory. |
| 12 | 2 | | | | | | | | | | |
| 13 | | | | | | 1 | 2 | | | 1 | |
| 14 | 4 | | | | | | 2 | | | 2 | |
| 15 | 3 | | 1 | 1 | | | 1 | | | | 2 |
| 16 | 7 | 1 | 1 | 1 | | | 2 | 2 | 4 | | 2 |
| 17 | 3 | 15 | | | | | 4 | 1 | 1 | 9 | |
| Totals | 3 | 31 | 1 | 2 | 1 | 1 | 11 | 1 | 4 | 16 | 2 |
| | | | | | | | | | | | 5 |

Table 8.—Disposition of “Bound Over” Cases, According to Offence.

| | Larceny. | Breaking and Entering. | Assault. | Rape. | Burning. | Lewd and Lascivious. |
|-------------------------------------|----------|------------------------|----------|-------|----------|----------------------|
| No bill | 2 | 7 | 1 | | | 1 |
| Nol pros'd | | 1 | | | | |
| Not guilty | | 2 | 1 | 1 | | |
| Probation | 1 | 14 | | | 1 | |
| Massachusetts Reformatory | | 5 | | | | |
| Lyman School | | 2 | | | | |
| Totals | 3 | 31 | 2 | 1 | 1 | 1 |

The last table shows the nature of the offences, the sentences imposed in the lower courts and the result of the appeal. More than one-half of the 63 cases appealed

involved larceny and breaking and entering. The remainder were not exactly of a trivial nature, judged by the sentences pronounced in the municipal courts, for 58 per cent. of the appealed cases were sentenced to penal or correctional institutions (exclusive of the Parental School), and the rest were fined, the fine, of course, being more than nominal.

Presumably all the cases were duly investigated by probation officers of the respective courts, who found that they could not recommend the clemency of probation. In the Superior Court, however, 52 per cent. of these boys were taken on probation, or almost the same number who had originally been sentenced to institutions. In every instance the boys who had been sentenced to the Lyman School, the House of Reformation, the House of Correction and the Massachusetts Reformatory — in all about 48 per cent. of the whole number who had appealed — escaped with probation or had their cases placed on file. The seven candidates for the Massachusetts Reformatory were reduced to four. Of the 38 per cent., who in the first instance had been fined, two withdrew the appeal, 6 per cent. had the sentence of the lower court confirmed, leaving 28 per cent. of fine cases in which the appeal resulted in a less onerous punishment, if any at all. Only as regards the two lads sent to the Parental School by the lower courts was the appeal resultless.

At least one point is made absolutely clear by this analysis, namely, that the incentive to appeal juvenile cases must be very strong to those who understand how great is the chance that the judgment of the lower court may be reversed. It should be noted that the overwhelming majority of the juvenile offenders who appealed last year were under 16 years of age. It is probable, therefore, that very few of them had already expiated their offence by reason of being held in custody until called by the Superior Court because they could not furnish security. Occasionally this happens, and is, of course, a mitigating circumstance. But allowing for this and for the obvious fact that a percentage of appealed cases are *nol pros'd*, there remains a wide divergence in the disposition of juvenile cases between the lower and the Superior Court which deserves to be pointed out, although it is beyond the scope of this inquiry to seek to account for it.

Table 9.—Disposition of CasesAppealed, Showing Offences and Sentences, in the Lower Courts.

| AGE. | OFFENCES. | | | | | | | | | | | | SENTENCES IN MUNICIPAL COURT. | | | | | DISPOSITION IN THE SUPERIOR COURT. | | | | | | | |
|-------------|-----------|------------------------|-----------------|----------|----------|---------------------------|------------|----------------------|-----------|----------|-------------------|--------|-------------------------------|----------------------------|---------------|------------------|----------------------|------------------------------------|-------------------|-------------|----------|------------|--------|------------------|----------------------------|
| | Larceny. | Breaking and Entering. | Stubborn Child. | Burning. | Assault. | Violating City Ordinance. | Profanity. | Idle and Disorderly. | Trespass. | Truancy. | Indecent Assault. | Fined. | House of Reformation. | Massachusetts Reformatory. | Lyman School. | Parental School. | House of Correction. | Not Guilty. | Appeal Withdrawn. | Nol pros'd. | On File. | Probation. | Fined. | Parental School. | Massachusetts Reformatory. |
| 9 | 1 | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | 1 | ..... | ..... | ..... | ..... | ..... | ..... | ..... | 1 | ..... | ..... | ..... |  |
| 10 | 1 | ..... | 1 | ..... | 1 | ..... | ..... | ..... | 1 | ..... | ..... | 1 | 2 | ..... | ..... | ..... | ..... | ..... | 1 | ..... | 2 | ..... | ..... | ..... |  |
| 11 | 2 | ..... | ..... | 1 | 1 | ..... | ..... | ..... | ..... | ..... | ..... | 3 | 1 | ..... | ..... | ..... | ..... | ..... | 2 | 1 | 1 | ..... | ..... | ..... |  |
| 12 | 4 | 3 | ..... | 4 | ..... | ..... | ..... | ..... | ..... | ..... | ..... | 1 | 4 | ..... | 6 | ..... | ..... | ..... | ..... | ..... | 10 | ..... | 1 | ..... |  |
| 13 | 4 | 1 | ..... | 2 | 1 | ..... | ..... | ..... | ..... | 1 | ..... | 3 | 2 | ..... | 3 | 1 | ..... | ..... | 1 | 1 | 6 | ..... | 1 | ..... |  |
| 14 | 4 | 4 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | ..... | 3 | 5 | ..... | 4 | 1 | ..... | ..... | 1 | 1 | 1 | 9 | 1 | ..... |  |
| 15 | 4 | ..... | ..... | 1 | 1 | 1 | 1 | 1 | 1 | 1 | ..... | 4 | ..... | 2 | 1 | ..... | ..... | 1 | 1 | 2 | 3 | ..... | 1 | ..... |  |
| 16 | 3 | 1 | ..... | 3 | ..... | ..... | ..... | ..... | ..... | ..... | 4 | ..... | 3 | ..... | ..... | ..... | 1 | 1 | 1 | 1 | 1 | 2 | ..... | 2 | |
| 17 | 2 | 2 | ..... | 1 | 2 | ..... | ..... | ..... | 1 | 1 | ..... | 5 | ..... | 2 | ..... | 1 | 1 | 1 | 2 | 3 | ..... | 1 | ..... | 1 | |
| Totals | 24 | 12 | 1 | 9 | 8 | 3 | 1 | 1 | 1 | 2 | 1 | 24 | 15 | 7 | 14 | 2 | 1 | 1 | 2 | 9 | 8 | 33 | 4 | 2 | 4 |
| Per cent .. | 38.09 | 19.04 | 1.58 | 14.28 | 12.69 | 4.76 | 1.58 | 1.58 | 1.58 | 3.17 | 1.58 | 38.09 | 23.80 | 11.11 | 22.22 | 3.17 | 1.58 | 1.58 | 3.17 | 14.28 | 12.69 | 52.38 | 6.34 | 3.17 | 6.34 |

